

Determination of NEPA Adequacy (DNA) Worksheet

U.S. Department of the Interior
Bureau of Land Management

OFFICE:: LLNVS03000

TRACKING NUMBER: DOI-BLM-NV-S030-2015-0002-DNA

CASEFILE/PROJECT NUMBER: N-90056/E/

PROPOSED ACTION TITLE/TITLE: Amendment to divert NHA fiber optic line in three locations

LOCATION/LEGAL DESCRIPTION:

All in Mount Diablo Meridian, Nevada

Relocation A: T. 15 S., R. 48 E., section 12, SENE and T. 15 S., R. 49 E., section 7, lot 2;

Relocation B: T. 16 S., R. 51 E., section 31, lot 4 and T. 17 S., R. 50 E., section 1, lot 1;

Relocation C: T. 21 S., R. 55 E., section 18, NESW, SESW.

APPLICANT (if any): Nevada Hospital Association, Inc. (NHA)

A. Description of Proposed Action and any applicable mitigation measures

Nevada Hospital Association (NHA) obtained a right-of-way (ROW) under serial number N-90056 and a short-term ROW under serial number N-90056-01 for a fiber optic line on public land on January 21, 2013 for Phase I and April 23, 2014 for Phase II. The fiber optic line is to be built on existing NV Energy and Valley Electric Association (VEA) powerlines. NHA has requested to amend a portion of the existing ROW due to powerline and ground clearance issues identified during detailed engineering. The proposed amendment is to utilize adjacent existing distributions poles owned by VEA to achieve necessary clearance and then return to the original line. The amendment would be subject to the same terms and conditions and environmental commitments as the original grants.

Relocation A from Mount Diablo Meridian, Nye County, Nevada, T. 15 S., R. 48 E., section 12 SENE proposes to move the line approximately 288 feet to the northwest of the original poleline to Mount Diablo Meridian, Nevada, T. 15 S., R. 49 E., section 7, lot 2. The new proposed amended grant line is from pole #171 (N-29793/N-90056) in T. 15 S., R. 48 E., section 12 SENE to pole #D 5-1 (Nev-66289) in the same aliquot part and then return to pole #173 (N-29793/N-90056) in T. 15 S., R. 49 E., section 7, lot 2. The existing grant on the subject pole #171 to pole #173 was a total length of 1,336 feet. The new proposed amended grant line from pole #171 to Pole #D 5-1 and back to pole #173 would be 1,053 feet. The decrease in total grant length as amended would be approximately 283 feet. Aerial depictions of the amendment can be found in the folder "Application and Maps."

Relocation B from Mount Diablo Meridian, Nye County, Nevada, T. 17 S., R. 50 E., section 1, lot 1 proposes to move the line approximately 38 feet to Mount Diablo Meridian, Nevada, T. 16 S., R. 51 E., section 31, lot 4. The new proposed amended grant line is from pole #63 (Nev-59100/N-90056) to pole #D2 (Nev-66289) and then return to pole #64 (Nev-59100/N-90056). The existing grant on the subject pole #63 to pole #64 was a total length

of 560 feet. The new proposed amended grant line from pole #63 to pole #D2 and back to pole #64 is 566 feet. The increase in total grant length as amended is 6 feet. Aerial depictions of the amendment can be found in the folder "Application and Maps."

Relocation C in the Las Vegas Field Office, from Mount Diablo Meridian, Clark Nevada, T. 21 S., R. 55 E., section 18, NESW proposes to move the line approximately 129 feet to the south to Mount Diablo Meridian, Nevada, T. 21 S., R. 55 E., section 18, SESW. The new proposed amended grant line is from pole #86 (Nev-59100/N-90056) to pole # dist. 1 (Nev-66289) and then return to pole #87 (Nev-59100/N-90056). The existing p\grant on the subject pole #86 to pole #87 was a total length of 486 feet. The new proposed amended grant line from pole #86 to Pole #dist. 1 and back to pole #87 is 581 feet. The increase in total grant length as amended is 95 feet. Aerial depictions of the amendment can be found in the folder "Application and Maps."

B. Land Use Plan Conformance

Record of Decision for the Las Vegas Resource Management Plan and Final Environmental Impact Statement DOI-BLM-NV- C020-2011-0512-EA	Final Environmental Assessment Nevada Hospital Association Nevada Broadband Telemedicine Initiative dated January 20, 2012 for ROW N-90056	Date Approved:	October 5, 1998
NV-050-0-60	VEA powerline EA and Decision Record signed October 16, 1980 for ROW N-29793	Date Approved:	October 16, 1980
		Date Approved:	BLM FONSI and DR signed March 12, 2012

**List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto*

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

RW-1-h, Management Direction: "All public land within the planning area, except as stated in RW-1-c through RW-1-g are available at the discretion of the agency for rights-of-way under the Federal Land Policy Management Act."

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Record of Decision for the Las Vegas Resource Management Plan and Final Environmental Impact Statement approved October 5, 1998;

DOI-BLM-NV-C020-2011-0512-EA Final Environmental Assessment Nevada Hospital Association Nevada Broadband Telemedicine Initiative dated January 20, 2012 for ROW N-90056, which relevant documents are included in the eplanning folder "Prior NEPA"; and

NV-050-0-60 VEA powerline EA and Decision Record signed October 16, 1980 for ROW N-29793, which relevant documents are included in the eplanning folder "Prior NEPA."

List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

The grant authorizing construction provides a list of stipulations as exhibits to the grant, as well as Environmental Commitments. The Environmental Commitments are grant construction requirements based off, among other resource evaluations, the Biological Assessment (August 2011) and the Biological Opinion (USFWS, 2011) for the EA.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Relocation A would be approximately 288' off the original line. Relocation B would be approximately 38' off the original line. Relocation C would be approximately 129' from the original line. Pursuant to a memo dated October 16, 2014, Lynn Zonge of Resource Concepts, Inc., the author of the Final Environmental Assessment Nevada Hospital Association Nevada Broadband Telemedicine Initiative dated January 20, 2012, stated: "At the time of the EA analysis the project proponent did not know which of the ROWs they would be able to negotiate co-location with the pole owner (such as Nevada Energy or Valley Electric). Therefore, the EA analyzed a very broad swath and is only specific in buried areas which necessitated on the ground surveys for cultural resources, sensitive plants, and weeds. Per NEPA, all reviews and evaluations were conducted to the level of detail commensurate with the potential for adverse impacts." This memo is included in the eplanning folder "Prior NEPA." After reviewing aerial photography and GIS of the three locations, which all appear to be disturbed by the subject powerlines, the environment around the new alignments and between the new and original alignments appears to be identical to the environment surrounding the original alignments.

A letter from Andy Spurgeon, EHP Team Lead for the Broadband Technology Opportunities Program (BTOP) for the National Telecommunications and Information Administration (NTIA) dated December 17, 2014 stated that "The action proposed is consistent with the NTIA EA/FONSI and with the original National Historic Preservation Act (NHPA) Section 106 findings for the project."

A memorandum dated November 19 2014 from Frank J. Monteferrante, Ph.D., Environmental Compliance Specialist for the BTOP to Andy Spurgeon stated that "The proposed project changes have been sufficiently considered in existing National Environmental Policy Act (NEPA) and National Historical Preservation Act (NHPA) documentation and are consistent with existing decision documentation (categorical exclusion [CATEX] or finding of no significant impact [FONSI]). The proposed changes are not substantial changes in the proposed action relevant to the environmental concerns and there are not significant new circumstances or information relevant to environmental concerns or bearing on the proposed action or its impacts. Therefore, the proposed project changes do no necessitate the preparation of additional documentation under

NEPA and NHPA, and the NTIA BTOP EHP Team recommends the development of an internal Memorandum for the Record (MFR) to document this decision.”

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource value?

The range of alternatives analyzed in the existing NEPA document is appropriate with respect to the new proposed action because the construction, operation and maintenance of the project will remain the same. The location of both lines are nearby and in parallel environments. The lines will be aerial lines as previously proposed, utilizing existing access roads and not driving cross-country as required in the Environmental Commitments attached as Exhibit C to the original grant. The applicant has received permission from the Valley Electric Association, Inc. power company holding all of the subject overlying rights-of-way.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

The existing analysis is still valid. No new information or circumstances are known that would substantially change the analysis of the new proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

There are no known new direct, indirect and cumulative effects that would result from implementation of the new proposed action.

5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current proposed action?

The existing Final Environmental Assessment Nevada Hospital Association Nevada Broadband Telemedicine Initiative dated January 20, 2012 list of preparers included the National Telecommunications Initiative Administration, the USFWS, USFS, BOR, DoD, BLM, BIA, and state agencies including the Division of Forestry, State Historic Preservation Office, Natural Heritage Program, NDOW, NDOT and Native American interested parties including the Walker River Paiute Tribe, Hualapai Tribe, Fallon Paiutes Shoshone Tribe, Duckwater Shoshone Tribe, Timbisha Tribe, and the Cultural Resources Protection Authority.

E. Persons/Agencies/BLM Staff Consulted

Table 1. List of Preparers

Name	Role	Discipline
Erica Pionke	Author	Realty Specialist
Mark Tanaka-Sanders	Reviewer	Assistant Field Manager
Deborah J. MacNeill	Reviewer, Signatory	Field Manager

Note

Refer to the EA for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Table 2. Cooperating Agencies

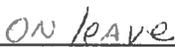
Agency Type	There are no cooperating agencies on this amendment.
Contact Name	
Contact Date	
MOU Number	
MOU Signed Date	
Address	
Parts Jointly Developed	

Conclusion

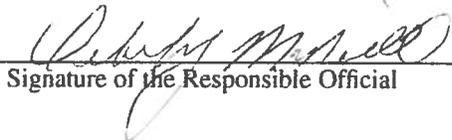
Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirement of NEPA.



Signature of Project Lead



Signature of NEPA Coordinator



Signature of the Responsible Official

Jan 6, 2015
Date

Note:

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.